

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 536 be amended to read as follows:

- 1 Page 1, between lines 16 and 17, begin a new line block indented
- 2 and insert:
- 3 **"(1) One percent (1%) of the money in the fund annually shall**
- 4 **be transferred to the state general fund to replace revenue lost**
- 5 **as the result of life long learning credits granted under**
- 6 **IC 6-3.1-29 plus any administrative fees retained by the**
- 7 **department of workforce development under**
- 8 **IC 6-3.1-29-21(e)."**
- 9 Page 1, line 17, delete "(1)" and insert "(2)".
- 10 Page 2, between lines 1 and 2, begin a new line block indented and
- 11 insert:
- 12 **"(3) Five hundred thousand dollars (\$500,000) shall be**
- 13 **allocated annually for training and counseling assistance**
- 14 **described in subsection (j)."**
- 15 Page 2, line 2, delete "(2)" and insert "(4)".
- 16 Page 2, between lines 38 and 39, begin a new paragraph and insert:
- 17 **"(j) The department of workforce development shall establish**
- 18 **procedures for applications for grants for training and counseling**
- 19 **assistance for individuals who:**
- 20 **(1) are:**
- 21 **(A) members of a minority group (as defined in**
- 22 **IC 4-13-16.5-1); or**
- 23 **(B) women;**
- 24 **(2) have been unemployed for at least four (4) weeks; and**
- 25 **(3) are not otherwise eligible for training and counseling**

1 assistance under any other program.

2 Training and counseling assistance described in this subsection
3 may include training and counseling assistance described in
4 IC 22-4-25-1(f). The corporation shall award grants for training
5 and counseling assistance under this subsection in accordance with
6 the guidelines adopted by the department of workforce
7 development."

8 Page 8, line 21, delete "IC 22-4-24.5-1(c)" and insert
9 "IC 5-28-27-3(b)(1)".

10 Page 9, line 5, delete "IC 22-4-24.5-1(c)" and insert
11 "IC 5-28-27-3(b)(1)".

12 Page 10, delete lines 13 through 42.

13 Page 11, delete lines 1 through 40, begin a new paragraph and insert:

14 "SECTION 6. IC 22-4-25-1 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) There is
16 created in the state treasury a special fund to be known as the special
17 employment and training services fund. All interest on delinquent
18 contributions and penalties collected under this article, together with
19 any voluntary contributions tendered as a contribution to this fund, ~~and~~
20 ~~amounts deposited as required by IC 22-4-10.5-7(b)~~, shall be paid into
21 this fund. The money shall not be expended or available for expenditure
22 in any manner which would permit their substitution for (or a
23 corresponding reduction in) federal funds which would in the absence
24 of said money be available to finance expenditures for the
25 administration of this article, but nothing in this section shall prevent
26 said money from being used as a revolving fund to cover expenditures
27 necessary and proper under the law for which federal funds have been
28 duly requested but not yet received, subject to the charging of such
29 expenditures against such funds when received. The money in this fund
30 shall be used by the board for the payment of refunds of interest on
31 delinquent contributions and penalties so collected, for the payment of
32 costs of administration which are found not to have been properly and
33 validly chargeable against federal grants or other funds received for or
34 in the employment and training services administration fund, on and
35 after July 1, 1945. Such money shall be available either to satisfy the
36 obligations incurred by the board directly, or by transfer by the board
37 of the required amount from the special employment and training
38 services fund to the employment and training services administration
39 fund. No expenditure of this fund shall be made unless and until the
40 board finds that no other funds are available or can properly be used to
41 finance such expenditures, except that expenditures from said fund may
42 be made for the purpose of acquiring lands and buildings or for the
43 erection of buildings on lands so acquired which are deemed necessary
44 by the board for the proper administration of this article. The board
45 shall order the transfer of such funds or the payment of any such
46 obligation or expenditure and such funds shall be paid by the treasurer
47 of state on requisition drawn by the board directing the auditor of state

1 to issue the auditor's warrant therefor. Any such warrant shall be drawn
2 by the state auditor based upon vouchers certified by the board or the
3 commissioner. The money in this fund is hereby specifically made
4 available to replace within a reasonable time any money received by
5 this state pursuant to 42 U.S.C. 502, as amended, which, because of any
6 action or contingency, has been lost or has been expended for purposes
7 other than or in amounts in excess of those approved by the bureau of
8 employment security. The money in this fund shall be continuously
9 available to the board for expenditures in accordance with the
10 provisions of this section and shall not lapse at any time or be
11 transferred to any other fund, except as provided in this article. Nothing
12 in this section shall be construed to limit, alter, or amend the liability of
13 the state assumed and created by IC 22-4-28, or to change the
14 procedure prescribed in IC 22-4-28 for the satisfaction of such liability,
15 except to the extent that such liability may be satisfied by and out of the
16 funds of such special employment and training services fund created by
17 this section.

18 (b) The board, subject to the approval of the budget agency and
19 governor, is authorized and empowered to use all or any part of the
20 funds in the special employment and training services fund for the
21 purpose of acquiring suitable office space for the department by way of
22 purchase, lease, contract, or in any part thereof to purchase land and
23 erect thereon such buildings as the board determines necessary or to
24 assist in financing the construction of any building erected by the state
25 or any of its agencies wherein available space will be provided for the
26 department under lease or contract between the department and the state
27 or such other agency. The commissioner may transfer from the
28 employment and training services administration fund to the special
29 employment and training services fund amounts not exceeding funds
30 specifically available to the commissioner for that purpose equivalent
31 to the fair, reasonable rental value of any land and buildings acquired
32 for its use until such time as the full amount of the purchase price of
33 such land and buildings and such cost of repair and maintenance thereof
34 as was expended from the special employment and training services
35 fund has been returned to such fund.

36 (c) The board may also transfer from the employment and training
37 services administration fund to the special employment and training
38 services fund amounts not exceeding funds specifically available to the
39 commissioner for that purpose equivalent to the fair, reasonable rental
40 value of space used by the department in any building erected by the
41 state or any of its agencies until such time as the department's
42 proportionate amount of the purchase price of such building and the
43 department's proportionate amount of such cost of repair and
44 maintenance thereof as was expended from the special employment and
45 training services fund has been returned to such fund.

46 (d) Whenever the balance in the special employment and training
47 services fund is deemed excessive by the board, the board shall order

1 payment into the unemployment insurance benefit fund of the amount
 2 of the special employment and training services fund deemed to be
 3 excessive.

4 (e) Subject to the approval of the board, the commissioner may use
 5 not more than five million dollars (\$5,000,000) during a program year
 6 for training provided by the state educational institution established
 7 under IC 20-12-61 to participants in joint labor and management
 8 apprenticeship programs approved by the United States Department of
 9 Labor's Bureau of Apprenticeship Training. Of the money allocated for
 10 training programs under this subsection, fifty percent (50%) is
 11 designated for industrial programs, and the remaining fifty (50%)
 12 percent is designated for building trade programs.

13 (f) The commissioner shall allocate an amount not to exceed four
 14 hundred fifty thousand dollars (\$450,000) annually for training and
 15 counseling assistance under IC 22-4-14-2 provided by state educational
 16 institutions (as defined in IC 20-12-0.5-1) or counseling provided by
 17 the department of workforce development for individuals who:

- 18 (1) have been unemployed for at least four (4) weeks;
- 19 (2) are not otherwise eligible for training and counseling
- 20 assistance under any other program; and
- 21 (3) are not participating in programs that duplicate those programs
- 22 described in subsection (e).

23 Training or counseling provided under IC 22-4-14-2 does not excuse
 24 the claimant from complying with the requirements of IC 22-4-14-3.
 25 Eligibility for training and counseling assistance under this subsection
 26 shall not be determined until after the fourth week of eligibility for
 27 unemployment training compensation benefits. The training and
 28 counseling assistance programs funded by this subsection must be
 29 approved by the United States Department of Labor's Bureau of
 30 Apprenticeship Training."

31 Renumber all SECTIONS consecutively.

(Reference is to ESB 536 as printed March 25, 2005.)

Representative Harris T